



Rep. Daniel V. Beiser

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09800HB4093ham001

LRB098 15651 RLC 56807 a

1 AMENDMENT TO HOUSE BILL 4093

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4093 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Methamphetamine Control and Community  
5 Protection Act is amended by changing Section 15 as follows:

6 (720 ILCS 646/15)

7 Sec. 15. Participation in methamphetamine manufacturing.

8 (a) Participation in methamphetamine manufacturing.

9 (1) It is unlawful to knowingly participate in the  
10 manufacture of methamphetamine with the intent that  
11 methamphetamine or a substance containing methamphetamine  
12 be produced.

13 (2) A person who violates paragraph (1) of this  
14 subsection (a) is subject to the following penalties:

15 (A) A person who participates in the manufacture of  
16 less than 15 grams of methamphetamine or a substance

1 containing methamphetamine is guilty of a Class 1  
2 felony.

3 (B) A person who participates in the manufacture of  
4 15 or more grams but less than 100 grams of  
5 methamphetamine or a substance containing  
6 methamphetamine is guilty of a Class X felony, subject  
7 to a term of imprisonment of not less than 6 years and  
8 not more than 30 years, and subject to a fine not to  
9 exceed \$100,000 or the street value of the  
10 methamphetamine manufactured, whichever is greater.

11 (C) A person who participates in the manufacture of  
12 100 or more grams but less than 400 grams of  
13 methamphetamine or a substance containing  
14 methamphetamine is guilty of a Class X felony, subject  
15 to a term of imprisonment of not less than 9 years and  
16 not more than 40 years, and subject to a fine not to  
17 exceed \$200,000 or the street value of the  
18 methamphetamine manufactured, whichever is greater.

19 (D) A person who participates in the manufacture of  
20 400 or more grams but less than 900 grams of  
21 methamphetamine or a substance containing  
22 methamphetamine is guilty of a Class X felony, subject  
23 to a term of imprisonment of not less than 12 years and  
24 not more than 50 years, and subject to a fine not to  
25 exceed \$300,000 or the street value of the  
26 methamphetamine manufactured, whichever is greater.

1 (E) A person who participates in the manufacture of  
2 900 grams or more of methamphetamine or a substance  
3 containing methamphetamine is guilty of a Class X  
4 felony, subject to a term of imprisonment of not less  
5 than 15 years and not more than 60 years, and subject  
6 to a fine not to exceed \$400,000 or the street value of  
7 the methamphetamine, whichever is greater.

8 (b) Aggravated participation in methamphetamine  
9 manufacturing.

10 (1) It is unlawful to engage in aggravated  
11 participation in the manufacture of methamphetamine. A  
12 person engages in aggravated participation in the  
13 manufacture of methamphetamine when the person violates  
14 paragraph (1) of subsection (a) and:

15 (A) the person knowingly does so in a multi-unit  
16 dwelling;

17 (B) the person knowingly does so in a structure or  
18 vehicle where a child under the age of 18, a person  
19 with a disability, or a person 60 years of age or older  
20 who is incapable of adequately providing for his or her  
21 own health and personal care resides, is present, or is  
22 endangered by the manufacture of methamphetamine;

23 (C) the person does so in a structure or vehicle  
24 where a woman the person knows to be pregnant  
25 (including but not limited to the person herself)  
26 resides, is present, or is endangered by the

1           methamphetamine manufacture;

2           (D) the person knowingly does so in a structure or  
3           vehicle protected by one or more firearms, explosive  
4           devices, booby traps, alarm systems, surveillance  
5           systems, guard dogs, or dangerous animals;

6           (E) the methamphetamine manufacturing in which the  
7           person participates is a contributing cause of the  
8           death, serious bodily injury, disability, or  
9           disfigurement of another person, including but not  
10          limited to an emergency service provider;

11          (F) the methamphetamine manufacturing in which the  
12          person participates is a contributing cause of a fire  
13          or explosion that damages property belonging to  
14          another person;

15          (G) the person knowingly organizes, directs, or  
16          finances the methamphetamine manufacturing or  
17          activities carried out in support of the  
18          methamphetamine manufacturing; or

19          (H) the methamphetamine manufacturing occurs  
20          within 1,000 feet of a place of worship or parsonage,  
21          or within 1,000 feet of the real property comprising  
22          any school, or within 1,000 feet of a site posted as a  
23          pick-up or discharge stop for any conveyance owned,  
24          leased, or contracted by a school to transport students  
25          to or from school or a school related activity.

26          (2) A person who violates paragraph (1) of this

1 subsection (b) is subject to the following penalties:

2 (A) A person who participates in the manufacture of  
3 less than 15 grams of methamphetamine or a substance  
4 containing methamphetamine is guilty of a Class X  
5 felony, subject to a term of imprisonment of not less  
6 than 6 years and not more than 30 years, and subject to  
7 a fine not to exceed \$100,000 or the street value of  
8 the methamphetamine, whichever is greater.

9 (B) A person who participates in the manufacture of  
10 15 or more grams but less than 100 grams of  
11 methamphetamine or a substance containing  
12 methamphetamine is guilty of a Class X felony, subject  
13 to a term of imprisonment of not less than 9 years and  
14 not more than 40 years, and subject to a fine not to  
15 exceed \$200,000 or the street value of the  
16 methamphetamine, whichever is greater.

17 (C) A person who participates in the manufacture of  
18 100 or more grams but less than 400 grams of  
19 methamphetamine or a substance containing  
20 methamphetamine is guilty of a Class X felony, subject  
21 to a term of imprisonment of not less than 12 years and  
22 not more than 50 years, and subject to a fine not to  
23 exceed \$300,000 or the street value of the  
24 methamphetamine, whichever is greater.

25 (D) A person who participates in the manufacture of  
26 400 grams or more of methamphetamine or a substance

1           containing methamphetamine is guilty of a Class X  
2           felony, subject to a term of imprisonment of not less  
3           than 15 years and not more than 60 years, and subject  
4           to a fine not to exceed \$400,000 or the street value of  
5           the methamphetamine, whichever is greater.

6           (Source: P.A. 94-556, eff. 9-11-05; 94-830, eff. 6-5-06;  
7           95-571, eff. 6-1-08.)".